



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q79844

Naoki TSUCHIYA, et al.

Appln. No.: 10/777,067

Group Art Unit: 1626

Confirmation No.: 5628

Examiner: Laura L. Stockton

Filed: February 13, 2004

For: BENZIMIDAZOLE DERIVATIVE

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

**ATTN:** Office of Initial Patent Examination

Filing Receipt Correction

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and request the following correction:

**Domestic Priority data as claimed by applicant**

This application is a CON of 10/169,866 07/10/2002 ABN

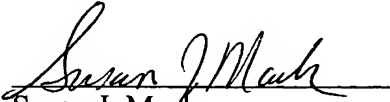
which is a 371 of PCT/JP01/00271 ~~08/17/2001~~ 01/17/2001

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT  
U.S. Appln. No.: 10/77,067

Atty. Docket No.: Q79844

Verification for the requested corrections is indicated on the Declaration and Power of  
Attorney filed February 13, 2004.

Respectfully submitted,

  
Susan J. Mack  
Registration No. 30,951

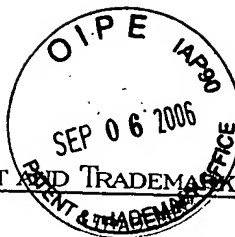
SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: September 6, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

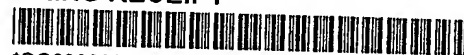
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 18150  
Alexandria, Virginia 22313-1150  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/777,067	02/13/2004	1614	1060	Q79844		16	1

23373  
SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

CONFIRMATION NO. 5628

## FILING RECEIPT



\*OC000000012568692\*

Date Mailed: 05/07/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Naoki Tsuchiya, Tokyo, JAPAN; ✓  
Yoshiyuki Matsumoto, Tokyo, JAPAN; ✓  
Hiroshi Saitou, Tokyo, JAPAN; ✓  
Tsuyoshi Mizuno, Tokyo, JAPAN; ✓

## Assignment For Published Patent Application

TEIJIN LIMITED; .

## Domestic Priority data as claimed by applicant

This application is a CON of 10/169,866 07/10/2002 ABN ✓  
which is a 371 of PCT/JP01/00271-08/17/2001 ✓ 01/17/2001

## Foreign Applications

JAPAN 2000-007533 01/17/2000 ✓  
JAPAN 2000-392303 12/25/2000 ✓

If Required, Foreign Filing License Granted: 05/07/2004

Projected Publication Date: 08/19/2004

Non-Publication Request: No

Early Publication Request: No

**Title**

Benzimidazole derivative

**Preliminary Class**

514

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

# Declaration and Power of Attorney for Patent Application

## 特許出願宣言書および委任状

Japanese Language Declaration

日本語宣言書



私は下記発明者として以下の通り宣言します：

As a below named inventor, I hereby declare that:

私の住所、郵送先、および国籍は私の氏名の後に記載された通りです。

My residence, mailing address and citizenship are as stated next to my name.

下記名称の発明に関し請求範囲に記載され特許出願がされている発明内容につき、私が最初、最先かつ唯一の発明者（下記氏名が一つのみの場合）であるか、あるいは最初、最先かつ共同発明者（下記氏名が複数の場合）であると信じます。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

BENZIMIDAZOLE DERIVATIVE

下記項目に×印が付いている場合を除き、上記発明の明細書は本書に添付されます。

the specification of which is attached hereto unless the following box is checked:

☐ 上記発明は米国出願番号あるいはPCT国際出願番号（確認番号\_\_\_\_\_）として\_\_\_\_年\_\_月\_\_日に出願され、  
\_\_\_\_年\_\_月\_\_日に補正されました（該当する場合）。

☒ was filed on January 17, 2001  
as United States Application Number or  
PCT International Application Number  
PCT/JP01/00271 (Conf. No. \_\_\_\_\_)  
and was amended on  
August 17, 2001 (if applicable).  
Article 34

私は特許請求範囲を含み上述の補正で補正された前記明細書の内容を検討し、理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は連邦規則法典第 37 編 1 条 56 項に定義される特許性に肝要な情報について開示義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

# Japanese Language Declaration

## 日本語宣言書

私は米国法典第 35 編 119 条(a)-(d)あるいは 365 条(b)に基づき特許あるいは発明者証書の下記外国出願、または 365 条(a)に基づき米国以外の少なくとも 1 ヶ国を指定した下記 PCT 外国出願についての外国優先権をここに主張するとともに、下記項目にx印を付けることにより優先権を主張する出願以前の出願日を有する特許あるいは発明者証書の外国出願あるいは PCT 外国出願を示します。

I hereby claim foreign priority under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below, and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior foreign application(s)  
外国での先行出願

Priority Claimed  
優先権の主張

Yes No  
有り無し

2000-007533 (Pat. Appln.) Japan  
(Number) (Country)  
(番号) (国名)

17 / January / 2000  
(Day/Month/Year Filed)  
(出願年月日)

☒ ☐

2000-392303 (Pat. Appln.) Japan  
(Number) (Country)  
(番号) (国名)

25 / December / 2000  
(Day/Month/Year Filed)  
(出願年月日)

☒ ☐

私は米国法典第 35 編 119 条(e)に基づき下記の米国仮特許の利益をここに主張します。

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は米国法典第 35 編 120 条に基づき下記米国特許出願、あるいは 365 条(c)に基づき米国を指定する下記 PCT 国際特許出願の利益をここに主張し、本特許出願内特許請求範囲の各項目の内容が米国法典第 35 編 112 条の最初の項に規定される方法により先行米国あるいは PCT 国際特許出願で開示されていない限りにおいて連邦規則法典第 37 編 1 条 56 項に定義される特許性に肝要で、先行特許出願の出願日から本特許出願の国内あるいは PCT の出願日までの間に入手された情報について開示義務があることを認めます。

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: patented, pending, abandoned)  
(状態: 特許成立済、係属中、放棄済)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: patented, pending, abandoned)  
(状態: 特許成立済、係属中、放棄済)

私は本宣言書内で私自身の知識に基づいてなされたすべての陳述が真実であり、情報および信ずるところに基づいてなされたすべての陳述が真実であると信じられていることをここに宣言し、さらに故意になされた虚偽の陳述等々は米国法典第 18 編 1001 条に基づき罰金あるいは拘禁または両方による処罰にあたり、またかような故意による虚偽の陳述はそれに基づく特許出願あるいは成立特許の有効性を危うくする可能性があることを認識した上でこれらの陳述をなしたことを宣言します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

# Japanese Language Declaration

## 日本語宣言書

委任状：私は下記の米国特許商標局（USPTO）顧客番号のもとに記載される SUGHRUE MION 法律事務所のすべての弁護士を、同顧客番号のもとに記載される個々の弁護士は SUGHRUE MION 法律事務所のための自由裁量に基づき変更され得ることを認識した上で、本特許出願の手続きおよびそれに関わる特許商標局との業務を遂行する弁護士として指名し、本特許出願に関するすべての通信が同 USPTO 顧客番号のもとに提出された住所宛に送付されることを要請します。

POWER OF ATTORNEY: I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of SUGHRUE MION, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.



23373

PATENT TRADEMARK OFFICE

電話連絡は下記へ：(名前および電話番号)

Direct Telephone Calls to: (name and telephone number)

SUGHRUE MION, PLLC  
(202) 293-7060

SUGHRUE MION, PLLC  
(202) 293-7060

Full name of sole or first inventor 唯一あるいは第一の発明者名 Naoki Tsuchiya	
Inventor's signature 発明者の署名 <i>Naoki Tsuchiya</i>	Date 日付 May 27, 2002
Residence 住所 Hino-shi, Tokyo, Japan	
Citizenship 国籍 Japanese	
Mailing Address 郵送先 c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, Tokyo 191-0065, Japan	
Full name of second joint inventor, if any 第二の共同発明者名(該当する場合) Yoshiyuki Matsumoto	
Second inventor's signature 第二発明者の署名 <i>Yoshiyuki Matsumoto</i>	Date 日付 May 27, 2002
Residence 住所 Hino-shi, Tokyo, Japan	
Citizenship 国籍 Japanese	
Mailing Address 郵送先 c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, Tokyo 191-0065, Japan	

Full name of third joint inventor, if any 第三の共同発明者名(該当する場合)	
Hiroshi Saitou	
Third inventor's signature 第三発明者の署名	Date 日付
<i>Hiroshi Saitou</i>	May 27, 2002
Residence 住所	
Hino-shi, Tokyo, Japan	
Citizenship 国籍	
Japanese	
Mailing Address 郵送先	
c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, Tokyo 191-0065, Japan	
Full name of fourth joint inventor, if any 第四の共同発明者名(該当する場合)	
Tsuyoshi Mizuno	
Fourth inventor's signature 第四発明者の署名	Date 日付
<i>Tsuyoshi Mizuno</i>	May 27, 2002
Residence 住所	
Hino-shi, Tokyo, Japan	
Citizenship 国籍	
Japanese	
Mailing Address 郵送先	
c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, Tokyo 191-0065, Japan	
Full name of fifth joint inventor, if any 第五の共同発明者名(該当する場合)	
Fifth inventor's signature 第五発明者の署名	Date 日付
Residence 住所	
Citizenship 国籍	
Mailing Address 郵送先	
Full name of sixth joint inventor, if any 第六の共同発明者名(該当する場合)	
Sixth inventor's signature 第六発明者の署名	Date 日付
Residence 住所	
Citizenship 国籍	
Mailing Address 郵送先	